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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 LAKQUAN D. SOLOMON,

12 Petitioner,

13 v.

14 CDCR,

15 Respondent.
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No. 2:24-CV-0924-TLN-DMC-P

ORDER

17 Petitioner, a prisoner proceeding pro se, brings this petition for a writ of habeas
18 corpus under 28 U.S.C. § 2254. Pending before the Court is Petitioner's petition, ECF No. 1,
19 which pleading is defective as lacking designation of any state officer defendant as having
20 custody of Petitioner.

21 It is well established that a "petitioner for habeas corpus relief must name the state officer
22 having custody of him or her as the respondent to the petition." Stanley v. California Supreme
23 Court, 21 F.3d 359, 360 (9th Cir. 1994); see also Rule 2(a), Federal Rules Governing Section
24 2254 Cases. Because Petitioner has not named the appropriate state officer, Petitioner will be
25 provided leave to amend to correct this technical defect by naming the correct respondent. See
26 Stanley, 21 F.3d at 360. Petitioner is warned that failure to comply with this order may result in
27 the dismissal of this action. See Local Rule 110.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's petition for writ of habeas corpus, ECF No. 1, is dismissed with leave to amend;
2. Petitioner shall file an amended petition on the form employed by this court, and which names the proper respondent and states all claims and requests for relief, within 30 days of the date of this order; and
3. The Clerk of the Court is directed to send Petitioner the Court's form habeas corpus application.

Dated: May 8, 2024



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE